

THE BOUNDARY DISPUTE OVER THE CONTINENTAL SHELF OF  
THE ARABIAN (PERSIAN) GULF

by  
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# THE BOUNDARY DISPUTE OVER THE ARABIAN (PERSIAN) CONTINENTAL SHELF

## Introduction

The Arabian or the Persian Gulf is "situated in the inner side of the Gulf of Oman, and its mouth is demarcated by the Arabian Peninsula. In the Gulf of 239,000 square kilometers, the sea is very shallow with an average depth of 25 meters, while the deepest part near the entrance of the Gulf reaches to 100 meters."<sup>1</sup> The Gulf as a whole is considered a continental shelf.

The following States are surrounding the said Gulf: Iran, Iraq, Kuwait, Saudi Arabia, Bahrain, Qatar, the United Arab Emirates (which includes seven Emirates or States) in addition to Oman in the entrance of the Gulf. All these States almost have disputes over the Gulf and its islands. Such disputes have been complicated by the discovery of oil around the Gulf and in its offshore. Also there have been some historical disputes over the mainland surrounding this Gulf, caused by foreign colonizations, creating artificial boundaries through cutting a part of one State and giving it to another. Furthermore, the emergence of the notion of nationalism in the nineteenth and twentieth centuries has participated in increasing the tension in the Gulf, where all Arab Gulf States have been insisting calling the Gulf, "The Arabian Gulf," while Iran is also insisting calling it "The Persian Gulf." But, Ayatollah Khomeini prefers to call the Gulf "The Islamic Gulf" because all States surround such Gulf are Islamic nations.<sup>2</sup>

Currently, the Gulf has become a very strategic area where it is the major source of the world oil and the international water path of the giant oil takers of the world.

This study is intended to cover two points or subjects: first, a historical background, and second, a search for solutions. Accordingly, these two points will be studied, in thorough detail, in two parts.

## PART I

### A Historical Background

There are several and different disputes between the Gulf countries. The following are the major disputes between the Gulf States:

#### The Iraq-Iranian Dispute

Iraq and Iran have a dispute over the Shatt al-Arab River which pours into the Gulf. In addition there is dispute over the offshore area (of the Gulf) adjacent to their territories.

On July 4, 1937 the parties signed, at Teheran, an agreement concerning the Shatt-al-Arab Waterway.<sup>3</sup> This treaty gave the right of navigation into the River for both States.<sup>4</sup> Further, the treaty provided for delimiting the boundary line of land and territorial waters of the two countries.<sup>5</sup>

On April 19, 1969, Iran unilaterally abrogated the 1937 Treaty claiming that Iraq failed to fulfill her obligations under the said treaty.<sup>6</sup> By a letter, dated April 29, 1969, to the President of the U.N. Security Council, Iraq strongly protested and denied the validity of the Iranian unilateral abrogation.<sup>7</sup>

Through Algeria's efforts, Iran and Iraq signed, at Bagdad, on June 13, 1975, a new agreement concerning the redemarcation of their boundaries.<sup>8</sup> But it seems that such treaty failed since the parties are not willing to ratify it.

#### The Kuwaiti-Iraqi Dispute

Up to 1963, Iraq claimed that the entire Kuwait is part of her territories. Later, she modified her claim to two Kuwaiti Islands: Warba and Bubiyan. This dispute (in addition to the Kuwaiti-Iranian dispute) caused the Kuwait Shell Petroleum Co. (UK) to stop its operations in 1964.

#### The Kuwaiti-Iranian Dispute

Kuwait and Iran had a dispute over the oil rich continental shelf of the Gulf lying between their mainlands.

#### The Kuwaiti-Saudi Arabia Dispute

As will be explained later on, the dispute between these two countries is over the Island of Quru and Umm al-Maradim which are lying in the offshore of the Neutral Zone, in addition to the offshore of the Neutral Zone itself.

#### The Saudi Arabia-Bahraini Dispute

The offshore area and some islands lying between the mainlands of the two States had been the question of dispute; but it seems that the two countries managed to settle this dispute since 1958 as will be explained later on.

#### The Bahrain-Qatar Dispute

One or two islands lying in the offshore between the two States has been the subject of dispute. In addition, the

territorial sea and continental shelf lying between them are in need of boundary delimitation.

#### The Iran-United Arab Emirates Dispute

This dispute emerged on November 30, 1971, when Iran, by using military forces, seized three Islands: Abu-Musa (or Bu Musa as it is called by Iran), Tunb al-Kubra (Tumb-i-Buzurg), and Tunb al-Sughra (Tumb-i-Kuchik) which belongs to the U.A.E.<sup>9</sup>

It seems, however, that all the foregoing States, except Iran, are not members of the Geneva Convention on the Continental Shelf. But, Iran has not yet ratified the convention.<sup>10</sup> Iran also made a reservation on the provisions of Article 6 where she stated that "with respect to the phrase 'and unless another line is justified by special circumstances' included in paragraph 1 and 2 of this article the Iranian Government accepts this phrase on understanding that one method of determining the boundary line in special circumstances would be that of measurement from the high water mark."<sup>11</sup>

Further, all the above-mentioned States issued proclamations with respect to their continental shelf before the Geneva Convention on the Continental Shelf.<sup>12</sup> Table 1 shows the date of the Gulf States proclamations.

TABLE 1

Country	Date	Country	Date
Saudi Arabia	5/28/49	U.A.E. (Abu Dhabi	6/10/49
Bahrain	6/5/49	(Dubai	6/19/49
Qatar	6/8/49	(Sharjah	6/16/49
Kuwait	6/12/49	(Ras al-Khaimah	6/17/49
		(Umm al Qaiwain	6/20/49
		Iran	6/19/55
		Iraq	11/24/57

Source: Shigeru Oda, p. 266.

Saudi Arabia and Kuwait, for example, issued the following decrees: Saudi Arabia, by the Royal Pronouncement of May 28, 1949, has stated that "with respect to the subsoil and seabed of areas of the Persian Gulf contiguous to the coasts of Our Kingdom.

The subsoil and seabed of these areas of the Persian Gulf seaward from the coastal sea of the Saudi Arabia but contiguous to its coasts are declared to appertain to the Kingdom of Saudi Arabia and to be subject to its jurisdiction and control. The boundaries of such areas will be determined in accordance with equitable principles by our Government in agreement with other States having jurisdiction and control over the subsoil and seabed of adjoining areas. The character of the high seas waters of such areas, the right to the free and unimpeded navigation of such water and the air space above those waters, fishing rights in such waters, and the traditional freedom of pearling by the peoples of the Gulf are in no way affected."<sup>13</sup>

Kuwait, by the Decree of June 5, 1949, has stated that "the seabed and subsoil lying beneath the high seas of the Persian Gulf contiguous to the territorial waters of the State of Kuwait and extending seawards to boundaries to be determined were precisely as occasionally may arise on equitable principles by the Ruler of Kuwait after consulting neighbouring States appertain to the State of Kuwait and are subject to its exclusive jurisdiction and control.

Nothing in this proclamation shall be deemed to affect sovereignty over the islands or the status of the seabed and subsoil beneath any territorial waters.

Nothing in this proclamation shall be deemed to affect the character as high seas of the waters of the Persian Gulf above the seabed and outside the limits of territorial waters or the status of the air space above the water of the Persian Gulf outside territorial waters or fishing and traditional pearling rights in such waters."<sup>14</sup>

Furthermore, all the Gulf States, except Iraq whose position is unknown, have accepted the equitable principle. But, in spite of that the said States issued proclamation concerning their territorial sea, there has been no definite boundary line; except that on some occasions such countries may draw a map, particularly, when an oil concession is granted to a multinational oil company.<sup>15</sup>

For lack of technology, know-how, or capital, the Gulf States granted oil concessions to foreign or multinational oil companies to explore and exploit the mineral resource (oil) of the seabed and subsoil of the Gulf (See Table 2)<sup>16</sup> But, the failure of such countries to precisely determine or delimit their territorial sea and continental shelf has created legal and practical difficulties to both the host countries--Gulf States, and oil companies.

TABLE 2

THE MULTINATIONAL OIL COMPANIES HOLDING CONCESSIONS IN THE ARABIAN  
(PERSIAN) GULF

Country	Multinational Oil Companies
United Arab Emirates	(RAS al Khaimah Union Oil Exploration and Production Co. (Umm al Qaiwain Southern Natural Gas Co. (Sharjah John W. Mecom Inc. (Dubai Pure Oil Co. (Abu Dhabi Dubai Marine Areas Ltd. Abu Dhabi Marine Areas Ltd.
Qatar	Shell-overseas Exploration Co. of Qatar
Saudi Arabia	Continental Oil Co. of Qatar
Kuwaiti-Saudi Neutral Zone	Arabian American Oil Co. (Aramco)
Kuwait	Arabian Oil Company Getty Oil Company
Iran	American Independent Oil Company Kuwait Shell Petroleum Development Co. Ltd. Société Irano-Italienne des Petroles (SIRIP) Iran-Pan American Oil Co. (IPAC) Dashestan Offshore Petroleum Co. Farsi Petroleum Co. Iranian Marine International Oil Co. Iranian Offshore Petroleum Co. Lavan Petroleum Co.

Source: Shigeru Oda, p. 267.

In 1961, Kuwait granted the Kuwait Shell Development Co. of U.K (Kuwait Shell) a concession to explore and exploit all the seabed and subsoil of the Kuwait territorial sea and continental shelf "as the subject of the Proclamation of 1949."<sup>17</sup> The boundary is, however, stated by straight lines including ten points. (See Table 3).<sup>18</sup>



TABLE 3

## KUWAIT--KUWAIT SHELL CONCESSION AGREEMENT

- 
- |      |  |                |
|------|--|----------------|
| (1)  | The seaward end of the boundaries between Kuwait and Iraq in the Kbor Abdullah (Khawr Abd Allah) |                |
| (2)  | 29° 43' 12" N.   | 48° 31' 30" E. |
| (3)  | 29° 35' 00" N.   | 48° 37' 30" E. |
| (4)  | 29° 32' 24" N.   | 48° 47' 24" E. |
| (5)  | 29° 21' 54" N.   | 49° 13' 18" E. |
| (6)  | 28° 58' 36" N.   | 49° 29' 48" E. |
| (7)  | 29° 01' 36" N.   | 48° 52' 12" E. |
| (8)  | 28° 49' 42" N.   | 48° 19' 06" E. |
| (10) | The seaward end of the boundary between Kuwait and the Kuwait/Saudi Arabian Neutral Zone         |                |
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Source: Shigeru Oda, p. 269.

Iran also granted an oil concession to Société Iran-Italienne des Petroles (SIRIP) in 1957 to exploit the coast of Iran, an area of about 5,600 square kilometers. This area "was delimited by lines connecting five points"(See Table 4).<sup>19</sup>

TABLE 4

## SIRIP CONCESSION AGREEMENT

- 
- |     |                |                |
|-----|----------------|----------------|
| (1) | 29° 57' 30" N. | 49° 33' 30" E. |
| (2) | 29° 38' 00" N. | 48° 54' 00" E. |
| (3) | 29° 30' 00" N. | 48° 54' 00" E. |
| (4) | 29° 15' 00" N. | 49° 04' 00" E. |
| (5) | 29° 49' 30" N. | 50° 13' 00" E. |
- 

Note: The line between 1 and 2 is deemed as the median line of the Gulf. The points 2 and 3 are deemed as coincidental with the three mile territorial water line.

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Source: Shigeru Oda, p. 269.

Iran further granted the coast area bordering the SIRIP concession area from the North and the South to the Iran-Pan American Oil Company (IPAC) in 1958.<sup>20</sup> (See Table 5)

TABLE 5  
IPAC (IRAN) CONCESSION AGREEMENT

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AREA I

- (1) 29° 38' 00" N. 48° 54' 00" E.
- (2) 29° 53' 30" N. 48° 54' 00" E.
- (3) 29° 57' 30" N. 49° 33' 30" E.

Note: The line between 1 and 2 is deemed as the median line of the Gulf. The points 2 and 3 are deemed as coincidental with the three mile territorial water line.

AREA II

- (1) 29° 49' 30" N. 50° 13' 00" E.
- (2) 29° 15' 00" N. 49° 04' 00" E.
- (3) 28° 23' 00" N. 49° 45' 00" E.
- (4) 28° 59' 0" N. 50° 45' 00" E.

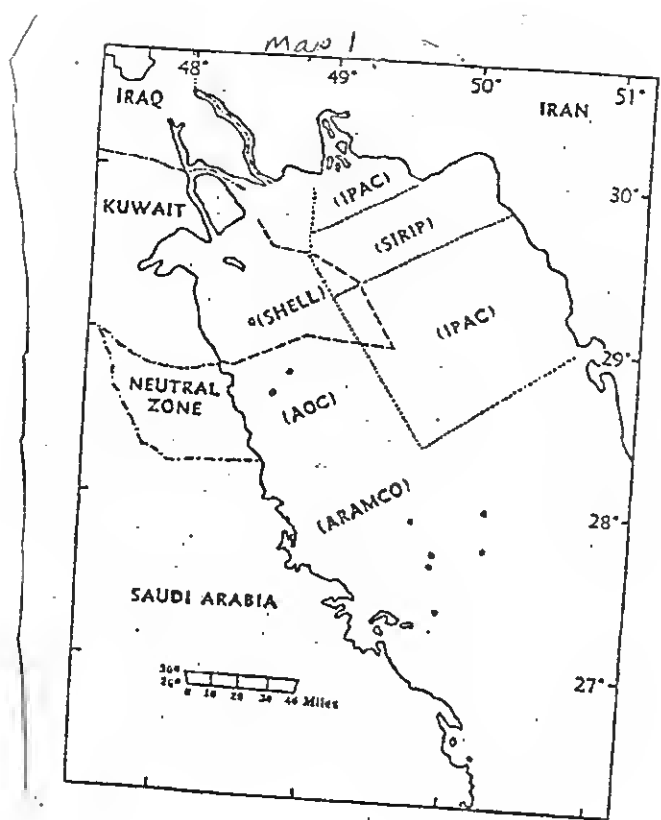
Note: The points 1 and 4 are deemed to be on the three mile territorial water line. The line between these two points is a line coincidental with the three mile territorial water line. It is not clear, how the Iranian claim to twelve mile territorial water in 1959 affects on this concession agreement.

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Source: Shigeru Oda, p. 270.

Accordingly, "the line demarcating the western boundaries of the Area I of IPAC, the Area of SIRIP and the Area II of IPAC (See Map I) delimites the boundary of the continental shelf of Iran vis-a-vis the continental shelf of Kuwait, the Neutral Zone and Saudi Arabia situated on the opposite side of the Gulf."<sup>21</sup>

MAP 1



Source: Shigeru Oda, p. 268.

However, the concession agreement between the Saudi Arabia Government and the Arabian American Oil Company (ARAMCO), and also the agreement between the Kuwaiti-Saudi governments and the Arabian Oil Company (AOC) of Japan, which has been operating in the off-coast of the Neutral Zone, have not stated the sea boundaries of these two concessions.<sup>22</sup> The concession of Aramco has only stated "that the concession area begins at the average low-water line of the coast of the mainland, includes certain islands and covers the sea bed area possessed by Saudi Arabia."<sup>23</sup> AOC concluded two separate agreements with the governments of Kuwait and Saudi Arabia for exploiting the off-shore of the Neutral Zone. The agreement with Saudi Arabia provides that the concession area "extends to the delimitation in the middle of both of the mean low water coastlines of . . . Neutral Zone and Iran." But, such agreement does not indicate "the boundaries vis-a-vis the areas off the coasts of Saudi Arabia and Kuwait for concessions have been granted to Aramco and Shell respectively."<sup>24</sup>

Map 1, supra, shows that the Shell concession area overlaps with the concession areas of SIRIP and IPAC.<sup>25</sup> This caused Shell to stop its operations in 1964. The concession area of Shell situates between the Faylaka Island off the coast of Kuwait and the opposite country--Iran.<sup>26</sup> The IPAC area locates between the median line of the Gulf and the Kharg Island off the shore of Iran.<sup>27</sup> Iran has claimed that because the Kharg Island, which situates at a distance of 16.5 miles from the

Iranian mainland, is connected with the mainland by pipelines it should be considered as a base line for measuring and delimiting the boundary line between her and Kuwait.<sup>28</sup> But, it seems that Kuwait is rejecting this claim.<sup>29</sup>

Moreover, the American Independent Oil Company (Aminoil) and Pacific Western Oil Corporation (later Getty Oil) had been granted two separated oil concession in 1948 and 1949 by the Governments of Kuwait and Saudi Arabia, respectively, to exploit the land area of the undivided Neutral Zone.<sup>30</sup> The Getty's agreement with the Saudi Government covers the Saudi Arabian's undivided half interest in the land area of the Saudi Arabia-Kuwait Neutral Zone together with Islands (if any) and territorial waters."<sup>31</sup> The Arabian Oil Company's (AOC) cession, as mentioned before, "covers both the Saudi and Kuwaiti undivided half interests in the offshore area of the Neutral Zone outside the limit of the territorial waters."<sup>32</sup> In 1963, Getty submitted a formal complaint to the Saudi government alleging that the AOC infringed its concession area by moving "a drilling barge into Getty waters on 14 December and two days later 'unilaterally' spudded in a wildcat well of a point approximately 48° 32' 48" East and 28° 45' North. This location falls within a six-mile radius of an unnamed islet situated about two miles north-northeast of Umm al-Maradim Island."<sup>33</sup>

The Saudi government rejected the complaint of Getty, on the the following grounds:

(1) The 1949 concession did not define the extent of the territorial waters concerned.

(2) The Royal Decree concerning the Saudi territorial waters was issued after the Getty's concession was granted. Thus, "the limit of Getty's territorial water rights should be taken as six nautical miles on the ground that this was the conventional limit in 1949."<sup>34</sup> Getty accepted the judgment of the Saudi Government.<sup>35</sup>

It is noteworthy that the Getty concession was granted on February, 1949, and the said decree was issued on May 28, 1949. Another royal decree was issued on February 16, 1958. The first extends the coastal sea of the State for a distance of six nautical miles, while the second extends such territorial sea to twelve miles.<sup>36</sup>

In any event, it has been said that the real obstacle in the way of agreement on delimiting the boundary lines of the Gulf, "in spite of their (the Gulf States) reliance on the same principle with regard to demarcation of the boundary, is chiefly due to the existence of Islands in the Gulf."<sup>37</sup> However, in addition to the existence of such islands in the Gulf, there is the problem of historical dispute between the Gulf States over the mainland itself. The real dispute, for example, between Iran and Iraq is over the rich oil Province of Khuzistan or Ahvaz, where Iraq believes that the Province is historically and practically part of her territories since it is inhabited by Arab population.

Currently, the dispute between the two neighbouring States is limited to Shatt Al-Arab River, where a treaty regulating the use of such river was signed in 1937.

Iran claims, even after her revolution, that Bahrain is part of her territories. Iraq was disputing the sovereignty and independence of Kuwait until 1963. Currently, she has limited her dispute to the Islands of Warba and Bubiyan.

## PART II

### THE SEARCH FOR SOLUTIONS

The search for settling disputes over the territorial waters, islands, and the continental shelf of the Gulf was started through four successful agreements were concluded by some of the Gulf States. The first agreement was reached by Kuwait and Saudi Arabia to resolve their dispute over the mainland of the so-called Neutral Zone and its shore in 1965. The second one was made between Saudi Arabia and Bahrain concerning the offshore area lying between their mainlands in 1958. The third one was made by Saudi Arabia and Iran in 1968. And the fourth one was concluded by Iran and Oman in 1974.

These four agreements will be discussed in more details in the following pages.

#### The Kuwaiti-Saudi Agreement

In 1922, Saudi Arabia and Kuwait concluded the "Ugair" agreement concerning the establishment of the so-called "Neutral Zone" between Saudi Arabia and Kuwait. (See Map 1 supra). According to the

Uqair agreement the two parties have had equal rights in the Neutral Zone. As a result to the discovery of the oil in the mainland and off shore of such Zone, many problems have faced the two Governments where, as pointed out supra, three oil concessions have been granted to Aminoil (the Kuwaiti part) and Getty (the Saudi part) to exploit the mainland of the Zone, and to AOC to exploit the off shore of the Zone. The Kuwaiti-Saudi government receive equal share of the oil revenues from the three oil companies. A further difficulty has been the Islands of Qaru and Umm al-Maradim which lie in the off shore of the Neutral Zone. According to the unratified Anglo-Turkish Agreement that that was signed in 1913 between the British Government (the protector of Kuwait's external affairs pursuant to the treaty of 1899) and the Ottoman Empire, the two island belonging to Kuwait.<sup>38</sup> The Saudi Government claims that the two islands are part of the Neutral Zone and then any oil found in the islands or in their territorial waters must be shared equally between the two States.<sup>39</sup> Kuwait has, however, rejected this claim on the following grounds: (1) The above-mentioned Anglo-Turkish Agreement of 1913; (2) the Uqair Agreement was intended to deal with tribal rights to grazing and the right of the two Governments to tax such tribes. But, it was not intended to deal with undiscovered oil; (3) a historical or traditional right, where, in spite of the two islands are uninhibited, nevertheless, the Kuwaiti pearl divers and fisherman have frequently used the Islands. Moreover, the two States have faced problems of dual jurisdiction where each one of them



has a jurisdiction over the Neutral Zone, which resulted or caused practical difficulties.<sup>40</sup>

Accordingly, in 1963 the Kuwaiti-Saudi governments agreed, through an exchange of notes, "to put an end to that temporary state of affairs by means of partitioning that Zone into two sections, so that the one shall be annexed to the State of Kuwait and the other shall be annexed to the Kingdom of Saudi Arabia, provided that these equal rights of the two parties shall be preserved in full in the whole the partitioned zone as this had originally been decided by the convention made at Al Ugair that it is shared between the two parties, and shall be safeguarded by provisions of international responsibility."<sup>41</sup>

However, this study is not concerned with the Saudi-Kuwaiti agreement relating to the mainland of the Neutral Zone, rather, it is concerned with the partition of the off shore of such Zone, and the manner of delimiting the off shore area, as will shortly be explained.

In 1965, the parties entered into a new agreement under which they agreed to delimit the mainland and off shore of the Neutral Zone. They stated that "the boundary line between the two sections of the zone is to be the line which divided them into two equal parts and which begins from a point at the mid-eastern shore on the low-tide line, and ends at the western boundary line of the Zone . . . ."<sup>42</sup> Further, they stated that "without prejudice to the provisions of this agreement, the part lying to the north of the line dividing the Partition Zone into two equal parts shall be annexed to Kuwait as an integral part of its territory, and the part lying to the South . . . shall be annexed

to the Kingdom of Saudi Arabia as an integral part of its territory."<sup>43</sup>

However, despite the parties agreed, supra, that the north and the south parts are deemed "as an integral part" of the Kuwaiti and Saudi territories, respectively, nevertheless, the agreement provides that "Each of the Contracting Parties shall respect the rights of the other party to the shared natural resources either existing at present or that shall exist in the future in that part of the Partitioned Zone which is annexed to his territory."<sup>44</sup> Likewise, the natural resources such as oil are still jointly owned by the two States.

Delimiting the Territorial Waters and the Continental Shelf of the Partitioned Zone

As mentioned before, the parties agreed to delimit or divide the Neutral Zone into two equal parts, and the boundary line "begins from a point at the mid-eastern shore on the low-tide line, and ends at the western boundary line of the zone."<sup>45</sup> It seems, however, that the parties prefer to adopt the principle of the median line and equidistance, but they did not delimit the boundary line which divides the territorial waters adjoining the Partitional Zone.<sup>46</sup>

It might be asked why the parties did not agree to delimit the boundary line which divides the territorial waters of the Partitioned Zone.<sup>47</sup>

There is no precise answer to this question since the agreement itself says nothing in this respect. But, it seems to me the major obstacle is the problem of the islands of Qaru and Umm al-Maradim which, after the partition has become totally in the Kuwaiti part. To show their implicit disagreement with

regard to the two islands, the parties stated that "On determining the northern boundary (the Kuwaiti part) of the submerged zone adjoining the partitioned zone, it shall be delineated as if the zone has not been partitioned and without regard to the provisions of this agreement."<sup>48</sup> Further, they say that "the Contracting Parties shall exercise their equal rights in the submerged zone beyond the aforesaid six miles limit mentioned in the previous Article (8) by means of shared exploitation unless the Parties agree otherwise."<sup>49</sup>

Furthermore, the Parties agreed to settle any dispute concerning this agreement by friendly means "include having recourse to the Arab league."<sup>50</sup> However, if the parties have failed to settle such dispute by friendly means, they must accept the compulsory jurisdiction of the International Court of Justice.<sup>51</sup>

A "Joint Permanent Committee, composed of equal numbers from both parties, is agreed to be established in order "to safeguard the continuance of the two Contracting Parties efforts in exploiting natural resources in the Partitioned Zone."<sup>52</sup> The committee shall be presided by the Ministers of Natural Resources in both States.

However, it seems that the parties failed to settle two problems, the first is the question of delimiting the boundary line of the offshore of the Partitioned Zone, and the second

is the question of the Islands of Qaru and Umm al-Maradim which after the partition have become in the Kuwaiti part of the Partition Zone. It was mentioned that Mr. Ahmad Zaki Yamani said, in this respect, that the above-mentioned matters are "purely legal," and Kuwait and Saudi Arabia had agreed to "submit their respective legal cases on these matters to a conciliation commission of impartial legal experts which would be asked to recommend a suitable solution to the two governments."<sup>53</sup>

#### The Saudi-Bahraini Agreement

On February 22, 1958, the Saudi and Bahraini governments canceled an agreement concerning "the definition of their respective rights in the off-shore areas lying between their territories."<sup>54</sup> This agreement was of great significance since it was the first attempt to settle dispute over the territorial waters and continental shelf of the Arabian (Persian) Gulf; at the same time it was in compliance "with the proposals of the International Law Commission, later incorporated into Article 6 of the Geneva Convention on the Continental Shelf, for the delimitation by agreement of the Continental Shelf of States whose costs are opposite each other,"<sup>55</sup> where, it seems, that the parties applied a principle of equidistance and used a method of a median line in delimiting the boundary line between their offshore area.

However, it is difficult to obtain a particular map concerning the Saudi-Bahraini agreement, thus, the part of such agreement that concerns the manner of drawing the boundary line between the two States is rewritten below:

First Clause

1. The boundary line between the Kingdom of Saudi Arabia and the Bahrain Government will begin, on the basis of the middle line from point 1, which is situated at the mid-point of the line running between the tip of the Ras al Bar (A) at the southern extremity of Bahrain and Ras Muharra (B) on the coast of the Kingdom of Saudi Arabia.
2. Then the above-mentioned middle line will extend from point 1 to point 2 situated at the mid-point of the line running between Point (A) and the northern tip of the island of Zakhnuniya (C).
3. Then the line will extend from point 2 to point 3 situated at the mid-point of the line running between point A and the tip of Ras Saiya (D).
4. Then the line will extend from point 3 to point 4, which is defined on the attached map and which is situated at the mid-point of the line running between the two points E and F which are both defined on the map.
5. Then the line will extend from point 4 to point 5, which is defined on the map and which is situated at the point [sic] of the line running between the two points G and H which are defined on the map.
6. Then the line will extend from point 5 to point 6, which is defined on the map and which is situated at the mid-point of the line running between the two points I and J which are defined on the map.
7. Then the line will extend from point 6 to point 7 situated at the mid-point of the line running between the south-western tip of the island of Umm Nasan (K) and Ras Al Kureya (L).
8. Then the line will extend from point 7 to point 8 situated at the western extremity of the island Al Baina Al Kabir, leaving the island to the Kingdom of Saudi Arabia.
10. Then the line will extend from point 9 to point 10 situated at the mid-point of the line running between the north-western tip of Khor Fasht (M) and the southern end of the island of Chaschus (N).
11. Then the line will extend from point 10 to point 11 situated at the mid-point of the line running between point O situated at the western edge of Fasht Al Jarim and point N referred to in subsection 10 above.
12. Then the line will extend from point 11 to point 12 situated at latitude 26 degrees 31 minutes 48 seconds north and longitude 50 degrees 23 minutes 15 seconds east approximately.

13. Then the line will extend from point 12 to point 13 situated at latitude 26 degrees 37 minutes 15 seconds north and longitude 50 degrees 33 minutes 24 seconds east approximately.

14. Then the line will extend from point 13 to point 14 situated at latitude 26 degrees 59 minutes 30 seconds north and longitude 50 degrees 46 minutes 24 seconds east approximately, leaving the Rennie Shoals (known as Najwat Al Riqai and Fasht Al Anawlyah) to the Kingdom of Saudi Arabia.

15. Then the line will extend from point 14 in a north-easterly direction to the extent agreed upon in the royal proclamation issued on the 1st Sha-aban in the year 1368 (corresponding to 28th May, 1949) and in the ordinance issued by the Government of Bahrain on the 5th of June, 1949.

16. Everything that is situated to the left of the above-mentioned line in the above subsections belongs to the Kingdom of Saudi Arabia and everything to the right of that line to the Government of Bahrain, with the obligation of the two governments to accept what will subsequently appear in the second clause below.

### Second Clause

The area situated within the six defined sides is as follows:

1. A line beginning from a point situated at latitude 27 degrees north and longitude 50 degrees 23 minutes east approximately.

2. From there to a point situated at latitude 26 degrees 37 minutes north and longitude 50 degrees 33 minutes east approximately.

4. From there to a point situated at latitude 26 degrees 59 minutes 30 seconds north and longitude 50 degrees 46 minutes 24 seconds east approximately.

5. From there to a point situated at latitude 26 degrees 59 minutes 30 seconds north and longitude 50 degrees 40 minutes east.

6. From there to a point situated at latitude 27 degrees north and longitude 50 degrees 40 minutes east approximately.

7. From there to the starting point.

This area cited and defined above shall be in the part falling to the Kingdom of Saudi Arabia in accordance with the wish of H.H. the Rule of Bahrain and the agreement of H.M. the King of Saudi Arabia. The exploitation of the oil resources in this area will be carried out in the way chosen by His Majesty on the condition that he grants to the Government of Bahrain one half of the net revenue

accruing to the Government of Saudi Arabia and arising from this exploitation, and on the understanding that this does not infringe the right of sovereignty of the Government of Saudi Arabia nor the right of administration over this above-mentioned area...56

The above-mentioned agreement seems to cover two offshore areas. The first one is that area lying between the two opposite mainlands of the two countries which refers to it in the "First Clause." This area was divided on the basis of the median line and in accordance with the principle of equidistance. Likewise the principle of Articles 6 and 12 of the Geneva Convention on the Continental Shelf and Territorial Sea, respectively, had been applied. However, the said agreement was signed before the Geneva Convention, and none of the States were members of the said convention. The two parties also settled the question of the following islands: Al Baina As Saghir Island was given to Bahrain, and Al Baina Al Kabir Island was given to Saudi Arabia. Thus, as point 16 states: "Everything that is situated to the left of" the boundary (median line belongs to Saudi Arabia and everything to the right belongs to Bahrain. The second offshore area is adjacent to the two countries. It seems that the parties, here, used a straight line in delimiting the boundary line of the continental shelf. In expectation (one may guess) that the Saudi Arabia side is rich in oil deposit, the parties agreed that the government of Saudi Arabia, without infringe to her right of sovereignty and of administration over such area, grants one half of the net revenue of oil to Bahrain. (See Second Clause).

### 3. The Saudi Arabia Iran Agreement

In 1968 Saudi Arabia and Iran agreed to delimit the boundary line between their respective offshore area in the Arabian (Persian) Gulf.<sup>57</sup>

The Saudi-Iranian accord applied to a geographical area of about 120 miles in length of the Arabian (Persian) Gulf.<sup>58</sup> The coasts of the two countries are opposite to each other; but the distance between the mainland is different, where it is between 95 to 135 miles.<sup>59</sup> The Gulf water depth is about 250 feet or 75 meters, but the average is less. However, the Gulf as a whole constitutes a continental shelf in the legal sense and thus it belongs to the Gulf countries.<sup>60</sup> The negotiations between the Saudi-Iranian government were, in addition to other matters, complicated by the existence of three islands, Kharg which is a large Iranian Island about 16 miles from the mainland of Iran.<sup>61</sup> Al-Arabiyah and Al-Farisiyah are small and usually uninhabited islets.<sup>62</sup> They situate about 13 miles apart in the direction of the middle of the Gulf but relatively closer to the Saudi side.<sup>63</sup> For years, there had been disputes over these two islets between the two governments, and the Iranian garrison has frequently stationed on Al-Farisiyah which is the nearer of the two to Iran.<sup>64</sup> The Saudi detachment has also stationed on Al-Arabiyah.<sup>65</sup>

The Saudi Arabia has showed her readiness to settle continental shelf disputes with neighbouring countries since 1949 through her 1949 continental shelf proclamation where such proclamations stated, inter alia, that the boundaries of the subsoil and seabed of areas of the Persian Gulf contiguous to the coasts



of the Saudi Arabia "will be determined in accordance with equitable principles by our government in agreement with other States having jurisdiction and control over subsoil and seabed of adjoining areas." <sup>66</sup>

In accordance with this principle, the Saudi government concluded, as mentioned supra, an agreement with Bahrain concerning their respective rights in the offshore areas lying between their countries in 1958. The agreement between Saudi Arabia and Iran was extremely needed as a result of the oil exploration which indicated that there are probable large oil reserves in the middle of the Gulf, between the two countries. <sup>67</sup> Also, the two States found that the oil concessions they have been granted were overlapping. <sup>68</sup> These facts necessitated serious negotiations between the parties. <sup>69</sup>

However, in spite of that Saudi Arabia was not a party to the 1958 Geneva Convention, and Iran was a party but did not ratify the said concession. <sup>70</sup> Nevertheless, it was understood by both States that the concept of a median line should be the basis for negotiations and the principles laid down by the Convention "for determining boundaries were freely cited and played a significant part in the negotiation." <sup>71</sup> But, it has been mentioned "that sharp differences emerged over the application of general principles, and that often no useful guidance for resolving these differences could be obtained from the conventions or from the preparatory work which led to them." <sup>72</sup>

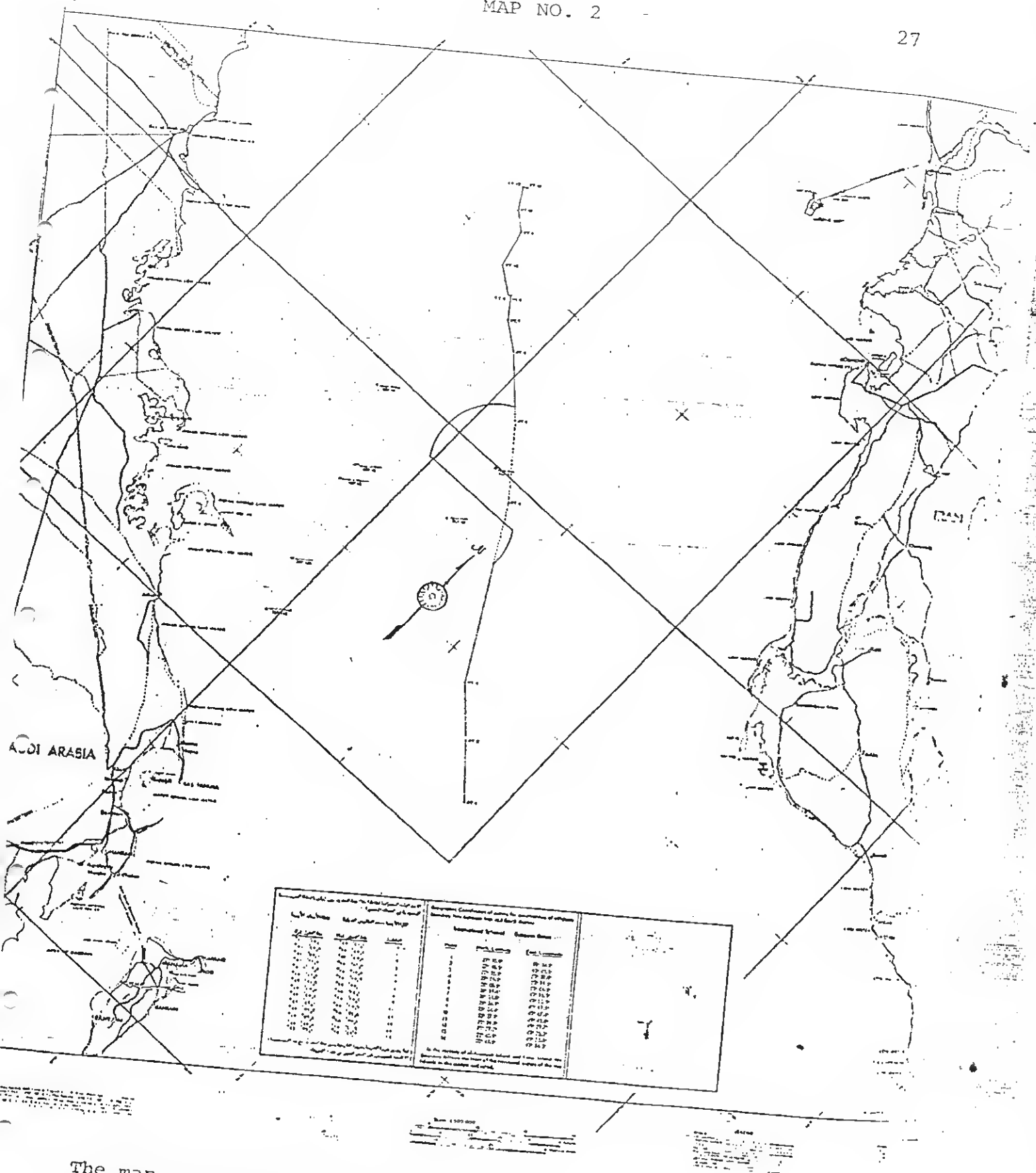
The geographical area which was the place of negotiation was divided into three geographical segments.<sup>73</sup> The first segment, starting "from southerly terminus up the Gulf to the vicinity of Al-Arabiyah,"<sup>74</sup> Here, the parties faced no difficulty where there was no islands lying in this area; thus, the parties agreed to use the method of a straight line (this line seems itself is the median line) between their opposite mainland coasts.<sup>75</sup> The said straight lines run between the following points below:<sup>76</sup>

Point	North Latitude	East Longitude
1	27°10.0'	50°54.0
2	27°18.5'	50°45.5
3	27°26.5'	50°37.0'
4	27°56.5'	50°17.5'
5	28°05.5'	50°06.5
6	28°17.6'	49°56.2'
7	28°21.0'	49°50.9'
8	28°24.7'	49°47.8'
9	28°24.2'	49°47.4'
10	29°27.9'	49°42.0'
11	28°34.8'	49°39.7'
12	28°37.2'	49°36.2'
13	28°40.9'	49°33.5'
14	28°41.3'	49°34.3'

However, the above-mentioned southerly terminus "intersects the Saudi Arabia-Bahrain boundary, which, under the 1958 agreement, extended an unspecified distance toward the middle of the Gulf," but because of the Irani claim to Bahrain, the Bahraini boundary did not mention by name, but rather as a geographical term.<sup>77</sup>

The second segment includes Al-Arabiyah and Al-Farishiyah (or Farisi as it is called by Iran) islets and their territorial waters.<sup>78</sup> The problem of these two islets was solved by allocation Al-Arabiyah to Saudi Arabia and Farisi to Iran.<sup>79</sup> The parties also agreed to give each island "a belt of territorial sea twelve nautical miles in width, measured from the line of the lowest low water on each of the said islands."<sup>80</sup> It was further agreed that "in the area where these belts overlap a boundary line separating the territorial seas of the two islands shall be drawn so as to be equidistant throughout its length from the lowest low water lines on each island." (Article 1).

The parties agreed that for determining the boundary line in the vicinity of the islands of Al-Arabiyah and Farsi, the above-mentioned straight line shall run at a point which "intersects the limit of the belt of territorial sea around Farsi, the boundary shall follow the limit of that belt on the side facing Saudi Arabia until it meets the boundary line" . . . which divides the territorial sea of Farsi and Al-Arabiyah; thence it shall follow that line easterly until it meets the limit of the belt of territorial sea around Al-Arabiyah; thence it shall follow the limit of that belt on the side facing Iran until it intersects again the "main median line (straight line)."<sup>81</sup> The final boundary line constituted S-shaped which divides the Saudi-Iranian continental shelf and the territorial sea of the two islands, Al-Arabiyah and Farsi.<sup>82</sup> (See Map 2).



The map reproduced above for purposes of information is a very reduced copy of the map referred to in Article 3 of the Agreement, but is not the copy actually annexed to the text.

Source: International Legal Materials, Vol. 8, 1969, p. 496.

The agreement between the two countries, however, recognized that each State has a sovereign right over the seabed and subsoil of the submarine areas (Continental Shelf) on its side "for the purpose of exploring and exploiting the natural resources therein."<sup>83</sup> Here, it seems, the parties applied the provision of Article 2(1) of the Geneva Convention on the Continental Shelf, where this Article says that, "the coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources."<sup>84</sup>

However, it seems that the parties in determining the boundary line between the above-mentioned two segments were in compliance with the principles of equidistance and median line that described by Article 12 and 6 of the Geneva Convention on the Territorial Sea and Continental Shelf respectively. For example, Article 12 states, inter alia, that "where the coasts of the two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured."<sup>85</sup>

The third segment was the northern part where this area has been of potential significance with regard to probable oil deposit.<sup>86</sup> Also, the presence of the Island of Kharg made applying the concept of median line difficult and complicated.<sup>87</sup> The parties avoided this difficulty by using those boundaries described in oil concession had granted to oil companies.<sup>88</sup> When Iran, for example, granted oil concessions, she used Kharg as a baseline for measuring the mid-Gulf boundary.<sup>89</sup> Saudi Arabia used the opposite

side of the Gulf lying between her mainland and the mid-Gulf boundary.<sup>90</sup> However, the approximated difference between the two lines is six miles.<sup>91</sup> Iran claimed that Kharg must be considered as part of the mainland because it is connected to such mainland by pipelines.<sup>92</sup>

In any event, the two States reached a compromise, "fixing the boundary along a line substantially equidistant between the median line giving full effect to Kharg and that giving no effect."<sup>93</sup>

It is noteworthy that the 1968 agreement was not the first agreement concerning the seabed and subsoil of the Gulf between the two countries, where in 1965 the first agreement was initially signed, but never ratified because of Iranian reluctance.<sup>94</sup> It has been said that "this was due to the subsequent discovery by the Iranian concessionaire of important deposits which lay mostly on the Arabian side of the proposed line."<sup>95</sup> Since 1965, the relations between the two States were damaged as far as the oil was concerned. Iran sent naval forces to protect Iranian oil fields in the Gulf.<sup>96</sup> These circumstances encouraged the Saudi-Iranian governments to resume their negotiations to settle their disagreement peacefully. Iran clearly and frankly stated that the agreement of 1965 was no longer acceptable, while Saudi Arabia unsuccessfully tried and suggested to send the dispute to arbitration, but she accepted to seek other means.<sup>97</sup> Accordingly, the parties reached the agreement of 1968 which provided for "an equal division of the oil in place."<sup>98</sup> According to their technical information, the parties agreed to draw a new line which revised a section of approximately 20 miles in length, ran in a slightly zigzag fashion from a point on the 1965 line some 32 miles above Al-Farisiyah (Farsi) northwesterly until it intersected

the defacto offshore boundary between Saudi Arabia and the Saudi Arabia-Kuwait Neutral Zone."<sup>99</sup> In comparison with the 1965 boundary agreement, the 1968 agreement gave Iran a slight net gain in seabed, but it increased the Iranian share of oil reserves.<sup>100</sup>

The two parties further agreed that no oil drilling operations shall be made within a zone extending five hundred (500) meters in width on each side of the Boundary Line.<sup>101</sup> However, these provisions were interpreted by both sides to extend to "exploitation not only from installations within the zone, but also (by means of directional drilling) from installation located outside it."<sup>102</sup> But, an exception was made to unintentional violation which might be committed.<sup>103</sup> A further understanding between the parties provided for the undertaking of each State to prevent and avoid violation to the said agreement that might be occurring on its side.<sup>104</sup> A joint technical committee was appointed to undertake fixing "positions in terms of latitude and longitude for a number of existing well sites in the oil-bearing northern sector."<sup>105</sup> These positions were intended to be used as guidance for future operations around the boundary line and the prohibited zone.<sup>106</sup>

#### A Technical Difficulty

The parties faced a problem of the absence of geographical data to draw a precise median line, where they had no single map that showed the two sides of the Gulf in accurate details.<sup>107</sup> They, however, had maps, but such maps might cause disagreement because they "were based on different reference datums."<sup>108</sup>

The maps of the Saudi side (of the Gulf) are inadequate for determining the "low-water lines to be used as baseline."<sup>109</sup>

This problem was solved by the assistance of the U.S.

Government.<sup>110</sup>

The United States upon the request of the Saudi-Iranian governments, sent a survey mission to fly aerial surveys over the Gulf using "advanced electronic measuring techniques."<sup>111</sup>

The survey mission completed its work by using "a map prepared by the A.M. Corps of Engineers, U.S. Army compiled in 1966."<sup>112</sup>

This map showed "with a high degree of precision, on a scale of 1:500,000, the relationship of the two coastlines, the low-water lines, and the position of islands."<sup>113</sup> Article

3 of the 1968 agreement states that the above-mentioned map "was used and shall be used as the basis for the measurement of the coordinates" determining the boundary.<sup>114</sup>

#### The Significance of the 1968 Agreement

The significant of the agreement could be judged from two sides: first, in the light of the principle that laid down by the Geneva Convention of 1958 on the Territorial Sea and Continental Shelf, second, in the light of the impact of this agreement on other Gulf current and future disputes.

1. The Impact of the Geneva Convention over the Saudi-Iranian Agreement. The agreement adopted two methods in delimiting the boundary line. The first method was in compliance with Article 6 of the Geneva Convention on the Continental Shelf, where a principle of geographical equidistance and a median line were fully applied.<sup>115</sup> This method was, however, used in delimiting the two southerly sections of the boundary line. But, the equidistance



principle did not apply in the case of the northern sector "in favor of an effort to allocate on a basis mutually acceptable to both States the mineral resources which were the chief reason for the entire negotiation."<sup>116</sup> Mr. Richard Young has said that delimiting the northern sector is considered as "departure from the rule stated in Article 6 of the Continental Shelf convention."<sup>117</sup> But I personally disagree with Mr. Young, where it seems that Article 6 requires applying the principle of equidistance and median line only in the absence of an agreement between the concerned parties. Thus, it seems there was no departure since there was an agreement between the Saudi-Iranian Governments. This is what Article 6 literally says "where the same continental shelf is adjacent to the territories of two or more States whose coasts are opposite each other, the boundary of the continental shelf appertaining to such States shall be determined by agreement between them;" then the Article goes on to state the principle which should be applied in a case of disagreement (where in such case the parties may have agreed to send their dispute to an arbitration) "In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary is the median line, every point of which is equidistant from the nearest point of baselines from which the breadth of the territorial sea of each State is measured."<sup>118</sup>

In any event, Mr. Richard Young has stated that the agreement was "in harmony with the subsequent judgment of the International

Court in the North Sea cases."<sup>119</sup> A final compliance with the principles stated by the ICJ, the parties, through an exchange of notes, agreed to take measures for preventing waste or injury in the seabed of the Gulf.<sup>120</sup>

2. The impact of the agreement on the Gulf current and future disputes. It seems that the agreement has been satisfactory for both parties--Saudi Arabia and Iran, since they succeeded to settle their long dispute and subsequently have enabled themselves to exploit the natural resources of the seabed and subsoil of the Gulf continental shelf.<sup>121</sup> As for other Gulf States which have had disputes with Saudi Arabia and Iran or between them, they can use the Saudi-Iranian agreement as a basis or precedent for settling their disputes.<sup>122</sup> Kuwait has, for example, had a dispute with Iran over the Gulf continental shelf lying between their mainland coasts. This dispute, as mentioned before, caused Kuwait Shell to stop its operations in the area. The United Arab Emirates has also a dispute with Iran over the continental shelf and there islands which were, through using force, taken by Iran in 1971. In general, the agreement is a sound basis for resolving all disputes in the Arabian (Persian) Gulf. Furthermore, the Gulf states can benefit from the technical information that was used in facilitating the delimitation of the boundary line of the continental shelf between Iran and Saudi Arabia.

4. Iran-Oman: Agreement on the Continental Shelf of 1974. On July 25, 1974, Iran and Oman signed, at Tehran, an agreement concerning the delimitation of the boundary line of the continental

shelf lying between their opposite coasts.<sup>123</sup>

According to Article 1 of the said agreement, "The line dividing the continental shelf lying between the territory of Iran on the side and the territory of Oman on the other side shall consist of geodetic lines between the points:"<sup>124</sup>

Point (1)	55	42	15	26	14	45	
Point (2)	55	47	47	26	16	35	
Point (3)	55	52	15	26	18	50	
Point (4)	56	06	45	26	28	40	
Point (5)	56	08	35	26	31	05	
Point (6)	56	14	30	26	35	25	
Point (7)	56	14	30	26	35	25	
Point (8)	56	16	30	26	35	35	
Point (9)	56	19	40	26	37	00	W. intersect o
Point (10)	56	33	00	26	42	15	larac 12 m
Point (11)	56	41	00	26	44	15	E. intersec of
Point (12)	56	44	00	26	41	35	larac 12 m.
Point (13)	56	45	15	26	39	40	
Point (14)	56	47	45	26	35	15	
Point (15)	56	47	30	26	25	15	
Point (16)	56	48	05	26	22	00	
Point (17)	56	47	50	26	16	30	
Point (18)	56	48	00	26	11	35	
Point (19)	56	50	15	26	03	15	
Point (20)	56	50	15	26	03	05	
Point (21)	56	51	30	25	45	20	

Source: International Legal Materials, Vol. 14, 1975, p. 1478.

"Point (1) is the most western point which is the intersection of the geodetic line drawn between point (0) having the coordinates of 55°42'15" E 26°14'45" N and point (2) having the coordinates of 55°47'45" E 26°16'35" N with the lateral offshore boundary line between Oman and Ras Al-Khaimah" (a small State or Emarat belongs to the United Arab Emirates).

"Point (22) is the most southern point located at the intersection of the geodetic demarcation line drawn from point (21) (specified above at an azimuth angle of  $190^{\circ} 00'00''$ ) and of the lateral offshore boundary line between Oman and Sharjah." (another State of the UAE).

However, there is no map attached to the Iran-Oman Agreement. Thus, it is difficult for one to judge whether or not the agreement or the Parties applied the principle laid down in Article 6 of the Geneva Convention on the Continental Shelf, namely, the principle of equidistance and median line. Further, the parties did not even mention or use the terms "equidistance" and "median line." Instead, they used the terms "geodetic line."

In any event, the parties were free to use the method that they wish since there was an agreement between them. This is what Article 6 (1) states, where it says that "where the same continental shelf is adjacent to the territories of two or more states whose coasts are opposite each other, the boundary of the continental shelf appertaining to such States shall be determined by agreement between them."<sup>125</sup>

It is noteworthy that both parties were not members to the Geneva Convention on the Continental Shelf (Iran was a member but she did not ratify it). Accordingly, Article 6 per se was inapplicable to the Iran-Oman Agreement.<sup>126</sup> However, the question of applying or not applying Article 6 had no place in the case Iran and Oman since, as mentioned supra, there was no controversy between the parties. This unlike the North Sea Continental Shelf Cases, where there was a controversy between the parties

involved. In the North Sea Cases, because Germany did not ratify the Convention, the ICJ ruled that "Article 6 of the Convention on the Continental Shelf was per se inapplicable to the controversy."<sup>127</sup> Also, the Court held that "Article 6 did not reflect a customary law rule on the subject."<sup>128</sup> Thus, according to the ICJ the Geneva Convention on the Continental Shelf has not yet become part of the International Law or International customary Law.

In any event, Iran and Oman also agreed that if oil fields or other mineral resources extend across the boundary line of the continental shelf and the part of such "field is situated on one side of that boundary line could be exploited wholly or in part by directional drilling from the other side of the boundary line then: "(a) no drilling is permitted on the other side within an area or distance of less than 125 meters, except by mutual agreement; (b) in case of other circumstances that might arise the parties shall "use their best endeavours to reach agreements as to the manner in which the operations on both sides of the boundary line could be coordinated or utilized."<sup>129</sup>

The boundary line was delimited by using "the British Admiralty Chart No. 2888, 1962 edition with small corrections through 1974, and with the ellipsoid used in said chart."<sup>130</sup>

The Iran-Oman agreement, unlike the Saudi-Iranian agreement, does not provide for measures to prevent wasted or injury in the seabed of the Gulf.

## THE BOUNDARY DISPUTE OVER THE ARABIAN (PERSIAN) CONTINENTAL SHELF

## FOOTNOTES

1. Oda, Shigeru, Boundary of the Continental Shelf, Japanese Annual of International Law, nos. 12-14, 1968-70, p. 264.
2. A statement was made by the Iranian leader Ayatollah Khomeini when he was in Paris, France, through an interview with the U.S. T.V. 1979.
3. Iran-Iraq: Documents on Abrogation of 1937 Treaty concerning Shatt-Al-Arab Waterway, International legal Materials, Vol. 8, 1969, p. 478 (copy 2).
4. Ibid.
5. Ibid.
6. Ibid., p. 481
7. Ibid., p. 487.
8. Ibid., vol. 14, 1075, p. 1133.
9. Mikdashi, Zuhayr, The International Politics of Natural Resources (Cornell University Press 1976), p. 59.
10. Oda, supra, p. 266.
11. Ibid., p. 264.
12. Ibid., p. 266.
13. Brown, Edward Hoagland, The Saudi Arabia-Kuwait Neutral Zone (The Middle East Research and Publishing Center, Beirut Lebanon, 1963), p. 143.
14. Ibid, p. 145.
15. Oda, supra, p. 269.
16. Ibid., p. 266.
17. Ibid., p. 269.
18. Ibid.
19. Ibid.
20. Ibid, p. 270.
21. Ibid.
22. Ibid.
23. Ibid.

24. Ibid.
  25. Ibid., p. 271.
  26. Ibid.
  27. Ibid.
  28. Ibid.
  29. Ibid.
  30. Brown, supra, p. 137.
  31. Ibid., pp. 135-137.
  32. Ibid., Note, Kuwait proclaims 6 nautical miles as "territorial sea, while Saudi Arabia proclaims 12 miles.
  33. Ibid.
  34. Ibid.
  35. Ibid.
  36. Ibid., pp. 140, 146. See The Texts of Both Decrees.
  37. Oda, supra, p. 271
  38. Sayed M. Hosni, The Partition of the Neutral Zone, The American Journal of International Law, vol. 60, 1966, p. 736; Mohd. Talaat El Ghoneimy, The Legal Status of the Saudi-Knwaiti Neutral Zone, International and Comparative Law Quarterly, vol. 15, July, 1966, p. 706-11.
  39. Hewins, Ralph, A Golden Dream, The Miracle of Kuwait (W.H. Allen London 1963), p. 318; El Ghoneimy, supra, p. 607.
  40. See: Kuwait-Saudi Arabia Agreement to Partition the Neutral Zone, International Legal Materials vol. 1965 copy 2, p. 1134; Hosni, supra, p. 745.
  41. Ibid.
  42. Ibid., Article 1.
  43. Ibid., Article 2.
  44. Ibid., Article 4.
  45. Ibid., Article 1.
  46. Ibid., Article 7.
  47. Ibid.
  48. Ibid., Article 8.
  49. Ibid.
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50. Ibid., Article 22.
  51. Ibid.
  52. Ibid., Article 17.
  53. El Ghonemy, supra, p. 716.
  54. Protected States: Bahrain Treaty Between Saudi Arabia and Bahrain, International and Comparative Law Quarterly, vol. 7, July, 1958), p. 518.
  55. Ibid., p. 519.
  56. Ibid.
  57. Young, Richard, Equitable Solutions for Offshore Boundaries: The 1968 Saudi Arabia-Iran Agreement, the American Journal of International Law, Vol. 64., 1970, p. 152.
  58. Ibid.
  59. Ibid.
  60. Ibid.
  61. Ibid.
  62. Ibid.
  63. Ibid.
  64. Ibid.
  65. Ibid.
  66. Ibid., Brown, supra, p. 143.
  67. Young, supra, p. 152.
  68. Ibid.
  69. Ibid., 153.
  70. Oda, supra, p. 266. Saudi Arabia sent "delegation to the Geneva Convention, but she did not sign the Convention. See El-Ghoneimy, supra, p. 703 (footnote).
  71. Young, supra, p. 153.
  72. Ibid.
  73. Ibid.
  74. Ibid.
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75. Ibid.
76. Ibid. The Iran-Saudi Arabian Agreement , p. 494.
77. Ibid.
78. Ibid.
79. Ibid., see the text of the Iran-Saudi Arabian Agreement, International Legal Materials, vol. 8, 1969, copy 2, p. 493.
80. The Iran-Saudi Arabian Agreement, supra, p. 494.
81. Young, supra, p. 154.
82. The Iran-Saudi Arabian Agreement, supra, p. 494.
83. Ibid.
84. Knight, Gary H., The Law of the Sea, Cases, Documents, and Reading (Claito's Law Books and Publishing Division, 1978), p. 264.
85. Ibid., p. 495.
86. Ibid.
87. Ibid.
88. Ibid.
89. Ibid.
90. Ibid.
91. Ibid.
92. Ibid.
93. Ibid.
94. Ibid.
95. Ibid.
96. Ibid.
97. Ibid.
98. Ibid.
99. Ibid., p. 155.
100. Ibid.
101. Ibid., The Iran-Saudi Agreement, supra, p. 495.

102. Young, supra, p. 155.
103. Ibid.
104. Ibid.
105. Ibid.
106. Ibid.
107. Ibid.
108. Ibid.
109. Ibid., p. 156.
110. Ibid.
111. Ibid.
112. Ibid., The Iran-Saudi Agreement, (Article 3), supra  
p. 495.
113. Ibid.
114. Ibid.
115. Ibid. As mentioned before, Iran initially signed the  
Geneva Convention, but did not ratify this convention; while  
Saudi Arabia sent a delegation, but did not sign the said  
Convention.
116. Young, supra, p. 156.
117. Ibid.
118. Knight, supra, p. 264.
119. Young, supra, p. 156.
120. Ibid., p. 157.
121. Ibid.
122. Ibid.
123. Iran-Oman Agreement on the Continental Shelf of the  
1974, International Legal Material Vol. 14, 1975, p. 1478.
124. Ibid.
125. Knight, supra, p. 264.

126. Ibid., p. 267.
127. Ibid.
128. Ibid.
129. Iran-Oman, supra, p. 1479.
130. Ibid.